



HUGH TOMLINSON KC

MAIN AREAS OF PRACTICE:

Arbitration
Civil actions against the police
Commercial and corporate law
Crime and regulatory
Human rights law
Media and Information
Public and private International
law
Public law

Called to the Bar 1983

Appointed to Silk 2002

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RECENT MEDIA AND INFORMATION CASES INCLUDE:

Ware v French [2021] EWHC 384 (QB) Libel preliminary issue meaning trial concerning BBC Panorama 'Is Labour Anti-Semitic'.

Wright v Granath [2021] 4 WLR 24 (CA) Libel claim in respect of tweet and a prior claim issued in the Norwegian court for a declaration of non-liability due to application of Lugano Convention 2007 art.27,

Sicri v Associated Newspapers Ltd [2021] 4 WLR 9. Successful claim for damages for misuse of private information by a man arrested on suspicion of involvement with the 2017 Manchester Arena bombing Disclosure of the fact that he was suspected of involvement in the worst terrorist offence for a decade represented a serious interference with his private life and no public interest justification.

Vardy v Rooney [2020] EWHC 3156 (QB) Libel and slander – Libel preliminary issue on meaning in “Wagatha Christie” dispute concerning publication of a tweet.

Haji-Ioannou v Telegraph Media Group Ltd and another [2020] EWHC 2922 (QB) Libel trial of preliminary issue on meaning and opinion.

Wright v Ver [2020] 1 WLR 3913 Whether Wales was clearly the most appropriate place in which to bring a defamation action against a defendant who was not domiciled in the UK., Defamation Act 2013 s.9..

Travel Insurance Facilities Plc (t/a Tifgroup) v Times Newspapers Plc [2019] EWHC 1337 (QB) Libel trial of preliminary issue on meaning, strong grounds to suspect fraud.

Ali and another v Channel 5 Broadcasting Ltd [2019] EWCA Civ 677 Privacy appeal in relation TV programme - concerning liability and quantum of damages.

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Price v MGN Ltd [2018] 4 WLR 150 Libel trial of preliminary issue on meaning and opinion and summary judgment/strike out.

Lisle-Mainwaring v Associated Newspapers Ltd and another [2017] EWHC 543 (QB) Determination of compensation in libel action following acceptance of qualified offer to make amends .

Times Newspapers Ltd v Flood [2017] 1 WLR 1415 (UKSC) Conditional fee agreements in phone hacking cases did not breach newspaper publishers' rights under Article 10 of the ECHR.

OPO v Rhodes [2016] AC 219. The Supreme Court ruled on the nature and limits of liability under *Wilkinson v Downton* [in a case where the principle in that case was relied on to prevent psychological harm being caused to a child by the publication of an autobiographical book containing graphic details of his father's troubled life. There was no arguable case that publication of the book would constitute the requisite conduct element of the tort or that the father had the requisite mental element.

R. (on the application of Ingenious Media Holdings Plc) v Revenue and Customs Commissioners [2016] 1 WLR 4164 Duty of confidentiality owed by HMRC in respect of taxpayers' affairs.

PJS v News Group Newspapers Ltd [2016] EMLR 17 An interim injunction restraining publication of a story about a person's extramarital sexual activities was granted as there was no public interest in the publication of a story which did no more than satisfy readers' curiosity.

RECENT DATA PROTECTION CASES INCLUDE:

Aven v Orbis Business Intelligence Ltd [2020] EWHC 1812 (QB). Successful claim for damages for the processing of inaccurate personal data in the "Trump Dossier".

Lloyd v Google Inc [2020] 2 WLR 484. Pioneering representative action for "loss of control" data protection damages on behalf of 4.4 million iPhone users. Permission to serve Google out of the jurisdiction granted by the Court of Appeal.

Secretary of State for the Home Department and another v TLU [2018] 4 WLR 101. Data protection claim concerning data erroneously published by the Home Office concerning applicants for asylum. Defendant's appeal against damages awards dismissed.

**NT 1 and another v Google LLC* (Information Commissioner intervening) [2019] QB 344. Search engine delisting claim by two individuals with spent convictions

CG v Facebook Ireland Ltd [2016] NICA 54: Facebook Ireland Ltd was liable to a sex offender for misuse of private information by failing to remove material from a profile page.

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